

SENATE SUBSTITUTE

FOR

SENATE JOINT RESOLUTION NO. 38

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 2, 3, and 7 of article III of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to regulating the legislature to limit the influence of partisan or other special interests.

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

1 That at the next general election to be held in the state of
2 Missouri, on Tuesday next following the first Monday in November,
3 2020, or at a special election to be called by the governor for
4 that purpose, there is hereby submitted to the qualified voters
5 of this state, for adoption or rejection, the following amendment
6 to article III of the Constitution of the state of Missouri:

7 Section A. Sections 2, 3, and 7, article III, Constitution
8 of Missouri, are repealed and three new sections adopted in lieu
9 thereof, to be known as sections 2, 3, and 7, to read as follows:

10 Section 2. (a) After December 6, 2018, no person serving
11 as a member of or employed by the general assembly shall act or
12 serve as a paid lobbyist, register as a paid lobbyist, or solicit
13 prospective employers or clients to represent as a paid lobbyist
14 during the time of such service until the expiration of two
15 calendar years after the conclusion of the session of the general
16 assembly in which the member or employee last served and where
17 such service was after December 6, 2018.

1 (b) No person serving as a member of or employed by the
2 general assembly shall accept directly or indirectly a gift of
3 any tangible or intangible item, service, or thing of value from
4 any paid lobbyist or lobbyist principal [in excess of five
5 dollars per occurrence]. This Article shall not prevent
6 candidates for the general assembly, including candidates for
7 reelection, or candidates for offices within the senate or house
8 from accepting campaign contributions consistent with this
9 Article and applicable campaign finance law. Nothing in this
10 section shall prevent individuals from receiving gifts, family
11 support or anything of value from those related to them within
12 the fourth degree by blood or marriage. [The dollar limitations
13 of this section shall be increased or decreased each year by the
14 percentage of increase or decrease from the end of the previous
15 calendar year of the Consumer Price Index, or successor index as
16 published by the U.S. Department of Labor, or its successor
17 agency, and rounded to the nearest dollar amount.]

18 (c) The general assembly shall make no law authorizing
19 unlimited campaign contributions to candidates for the general
20 assembly, nor any law that circumvents the contribution limits
21 contained in this Constitution. In addition to other campaign
22 contribution limitations or restrictions provided for by law, the
23 amount of contributions made to or accepted by any candidate or
24 candidate committee from any person other than the candidate in
25 any one election [for the general assembly] to the office of
26 state representative or state senator shall not exceed the
27 following:

28 (1) To elect an individual to the office of state senator,

1 two thousand ~~five~~ four hundred dollars; and

2 (2) To elect an individual to the office of state
3 representative, two thousand dollars.

4 The contribution limits and other restrictions of this
5 section shall also apply to any person exploring a candidacy for
6 ~~[a public office listed in this subsection]~~ the office of state
7 representative or state senator.

8 [For purposes of this subsection, "base year amount" shall
9 be the contribution limits prescribed in this section.

10 Contribution limits set forth herein shall be adjusted on the
11 first day of January in each even-numbered year hereafter by
12 multiplying the base year amount by the cumulative Consumer Price
13 Index and rounded to the nearest dollar amount, for all years
14 after 2018.]

15 (d) No contribution to a candidate for legislative office
16 shall be made or accepted, directly or indirectly, in a
17 fictitious name, in the name of another person, or by or through
18 another person in such a manner as to, or with the intent to,
19 conceal the identity of the actual source of the contribution.
20 There shall be a rebuttable presumption that a contribution to a
21 candidate for public office is made or accepted with the intent
22 to circumvent the limitations on contributions imposed in this
23 section when a contribution is received from a committee or
24 organization that is primarily funded by a single person,
25 individual, or other committee that has already reached its
26 contribution limit under any law relating to contribution
27 limitations. A committee or organization shall be deemed to be
28 primarily funded by a single person, individual, or other

1 committee when the committee or organization receives more than
2 fifty percent of its annual funding from that single person,
3 individual, or other committee.

4 (e) In no circumstance shall a candidate be found to have
5 violated limits on acceptance of contributions if the Missouri
6 ethics commission, its successor agency, or a court determines
7 that a candidate has taken no action to indicate acceptance of or
8 acquiescence to the making of an expenditure that is deemed a
9 contribution pursuant to this section.

10 (f) No candidate shall accept contributions from any
11 federal political action committee unless the committee has filed
12 the same financial disclosure reports that would be required of a
13 Missouri political action committee.

14 Section 3. (a) [There is hereby established the post of
15 "Nonpartisan State Demographer". The nonpartisan state
16 demographer shall acquire appropriate information to develop
17 procedures in preparation for drawing legislative redistricting
18 maps on the basis of each federal census for presentation to the
19 house apportionment commission and the senatorial apportionment
20 commission.

21 (b) The nonpartisan state demographer shall be selected
22 through the following process. First, state residents may apply
23 for selection to the state auditor using an application developed
24 by the state auditor to determine an applicant's qualifications
25 and expertise relevant to the position. Second, the state
26 auditor shall deliver to the majority leader and minority leader
27 of the senate a list of at least three applicants with sufficient
28 expertise and qualifications, as determined by the state auditor,

1 to perform the duties of the nonpartisan state demographer.
2 Third, if the majority leader and minority leader of the senate
3 together agree that a specific applicant should be selected to be
4 the nonpartisan state demographer, that applicant shall be
5 selected and the selection process shall cease. Fourth, if the
6 majority leader and minority leader of the senate cannot together
7 agree on an applicant, they may each remove a number of
8 applicants on the state auditor's list equal to one-third of the
9 total number of applicants on that list, rounded down to the next
10 integer, and the state auditor shall then conduct a random
11 lottery of the applicants remaining after removal to select the
12 nonpartisan state demographer. The state auditor shall prescribe
13 a time frame and deadlines for this application and selection
14 process that both encourages numerous qualified applicants and
15 avoids delay in selection. The nonpartisan state demographer
16 shall serve a term of five years and may be reappointed. To be
17 eligible for the nonpartisan state demographer position, an
18 individual shall not have served in a partisan, elected position
19 for four years prior to the appointment. The nonpartisan state
20 demographer shall be disqualified from holding office as a member
21 of the general assembly for four years following the date of the
22 presentation of his or her most recent legislative redistricting
23 map to the house apportionment commission or the senatorial
24 apportionment commission.

25 (c) The house of representatives shall consist of one
26 hundred sixty-three members elected at each general election and
27 [apportioned] redistricted as provided in this section.

28 [(1)] (b) [Within ten days after the population of this

1 state is reported to the President for each decennial census of
2 the United States or, in the event that a reapportionment has
3 been invalidated by a court of competent jurisdiction, within ten
4 days after such a ruling has been made, the nonpartisan state
5 demographer] The house independent bipartisan citizens commission
6 shall [begin the preparation of legislative districting plans and
7 maps] redistrict the house of representatives using the following
8 methods, listed in order of priority:

9 [a.] (1) Districts shall be [established on the basis of
10 total] as nearly equal as practicable in population].

11 Legislative districts shall each have a total population as
12 nearly equal as practicable to the ideal population for such
13 districts, determined by dividing the number of districts to be
14 established into the total population of the state reported in
15 the federal decennial census], and shall be drawn on the basis of
16 one person, one vote. Districts are as nearly equal as
17 practicable in population if no district deviates by more than
18 one percent from the ideal population of the district, as
19 measured by dividing the number of districts into the statewide
20 population data being used, except that a district may deviate by
21 up to three percent if necessary to follow political subdivision
22 lines consistent with subdivision (4) of this subsection;

23 [b.] (2) Districts shall be established in a manner so as
24 to comply with all requirements of the United States Constitution
25 and applicable federal laws, including, but not limited to, the
26 Voting Rights Act of 1965 (as amended). [Notwithstanding any
27 other provision of this Article, districts shall not be drawn
28 with the intent or result of denying or abridging the equal

1 opportunity of racial or language minorities to participate in
2 the political process or diminishing their ability to elect
3 representatives of their choice, whether by themselves or by
4 voting in concert with other persons.] The following principles
5 shall take precedence over any other part of this constitution:
6 no district shall be drawn in a manner which results in a denial
7 or abridgment of the right of any citizen of the United States to
8 vote on account of race or color; and no district shall be drawn
9 such that members of any community of citizens protected by the
10 preceding clause have less opportunity than other members of the
11 electorate to participate in the political process and to elect
12 representatives of their choice;

13 [Districts shall be designed in a manner that achieves both
14 partisan fairness and, secondarily, competitiveness. "Partisan
15 fairness" means that parties shall be able to translate their
16 popular support into legislative representation with
17 approximately equal efficiency. "Competitiveness" means that
18 parties' legislative representation shall be substantially and
19 similarly responsive to shifts in the electorate's preferences.

20 To this end, the nonpartisan state demographer shall
21 calculate the average electoral performance of the two parties
22 receiving the most votes in the three preceding elections for
23 governor, for United States Senate, and for President of the
24 United States. This index shall be defined as the total votes
25 received by each party in the three preceding elections for
26 governor, for United States Senate, and for President of the
27 United States, divided by the total votes cast for both parties
28 in these elections. Using this index, the nonpartisan state

1 demographer shall calculate the total number of wasted votes for
2 each party, summing across all of the districts in the plan.

3 "Wasted votes" are votes cast for a losing candidate or for a
4 winning candidate in excess of the fifty percent threshold needed
5 for victory. In any plan of apportionment and map of the
6 proposed districts submitted to the respective apportionment
7 commission, the nonpartisan state demographer shall ensure the
8 difference between the two parties' total wasted votes, divided
9 by the total votes cast for the two parties, is as close to zero
10 as practicable.

11 To promote competitiveness, the nonpartisan state
12 demographer shall use the electoral performance index to simulate
13 elections in which the hypothetical statewide vote shifts by one
14 percent, two percent, three percent, four percent, and five
15 percent in favor of each party. The vote in each individual
16 district shall be assumed to shift by the same amount as the
17 statewide vote. The nonpartisan state demographer shall ensure
18 that, in each of these simulated elections, the difference
19 between the two parties' total wasted votes, divided by the total
20 votes cast for the two parties, is as close to zero as
21 practicable;

22 c.] (3) Subject to the requirements of [paragraphs a. and
23 b. of this subdivision] subdivisions (1) and (2) of this
24 subsection, districts shall be composed of contiguous territory
25 as compact as may be. Areas which meet only at the points of
26 adjoining corners are not contiguous. In general, compact
27 districts are those which are square, rectangular, or hexagonal
28 in shape to the extent permitted by natural or political

1 boundaries;

2 [d.] (4) To the extent consistent with [paragraphs a. to c.
3 of this subdivision, district boundaries shall coincide with the
4 boundaries of political subdivisions of the state. The number of
5 counties and cities divided among more than one district shall be
6 as small as possible. When there is a choice between dividing
7 local political subdivisions, the more populous subdivisions
8 shall be divided before the less populous, but this preference
9 shall not apply to a legislative district boundary drawn along a
10 county line which passes through a city that lies in more than
11 one county] subdivisions (1) to (3) of this subsection,
12 communities shall be preserved. Districts shall satisfy this
13 requirement if district lines follow political subdivision lines
14 to the extent possible, using the following criteria, in order of
15 priority. First, each county shall wholly contain as many
16 districts as its population allows. Second, if a county wholly
17 contains one or more districts, the remaining population shall be
18 wholly joined in a single district made up of population from
19 outside the county. If a county does not wholly contain a
20 district, then no more than two segments of a county shall be
21 combined with an adjoining county. Third, split counties and
22 county segments, defined as any part of the county that is in a
23 district not wholly within that county, shall each be as few as
24 possible. Fourth, as few municipal lines shall be crossed as
25 possible;

26 [e. Preference shall be that districts are compact in form,
27 but the standards established by paragraphs a. to d. of this
28 subdivision take precedence over compactness where a conflict

1 arises between compactness and these standards. In general,
2 compact districts are those which are square, rectangular, or
3 hexagonal in shape to the extent permitted by natural or
4 political boundaries.]

5 (5) Districts shall be drawn in a manner that achieves both
6 partisan fairness and, secondarily, competitiveness, but the
7 standards established by subdivisions (1) to (4) of this
8 subsection shall take precedence over partisan fairness and
9 competitiveness. "Partisan fairness" means that parties shall be
10 able to translate their popular support into legislative
11 representation with approximately equal efficiency.
12 "Competitiveness" means that parties' legislative representation
13 shall be substantially and similarly responsive to shifts in the
14 electorate's preferences.

15 To this end, the average electoral performance of the two
16 political parties receiving the most votes in the three preceding
17 general elections for governor, for United States Senate, and for
18 President of the United States shall be calculated. This index
19 shall be defined as the total votes received by each party in the
20 three preceding general elections for governor, for United States
21 Senate, and for President of the United States, divided by the
22 total votes cast for both parties in these elections. Using this
23 index, the total number of wasted votes for each party, summing
24 across all of the districts in the plan shall be calculated.
25 "Wasted votes" are votes cast for a losing candidate or for a
26 winning candidate in excess of the threshold needed for victory.
27 In any redistricting plan and map of the proposed districts, the
28 difference between the two parties' total wasted votes, divided

1 by the total votes cast for the two parties, shall not exceed
2 fifteen percent.

3 To promote competitiveness, the electoral performance index
4 shall be used to simulate elections in which the hypothetical
5 statewide vote shifts by one percent, two percent, three percent,
6 four percent, and five percent in favor of each party. The vote
7 in each individual district shall be assumed to shift by the same
8 amount as the statewide vote. In each of these simulated
9 elections, the difference between the two parties' total wasted
10 votes, divided by the total votes cast for the two parties, shall
11 not exceed fifteen percent.

12 [(2)] (c) Within sixty days after the population of this
13 state is reported to the President for each decennial census of
14 the United States or, in the event that a [reapportionment]
15 redistricting plan has been invalidated by a court of competent
16 jurisdiction, within sixty days that such a ruling has been made,
17 the state committee and the congressional district [committee]
18 committees of each of the two political parties casting the
19 highest vote for governor at the last preceding general election
20 shall meet and the members of [the] each committee shall
21 nominate, by a majority vote of the elected members of the
22 committee present, provided that a majority of the elected
23 members is present, [two] members of their party, residents in
24 that district, in the case of a congressional district committee,
25 as nominees for [reapportionment commissioners] the house
26 independent bipartisan citizens commission. [Neither] No party
27 shall select more than one nominee from any one state legislative
28 district. The congressional district committees shall each

1 submit to the governor their list of two elected nominees. The
2 state committees shall each submit to the governor their list of
3 five elected nominees. Within thirty days thereafter, the
4 governor shall appoint a house independent bipartisan citizens
5 commission consisting of one [name] nominee from each list
6 submitted by each congressional district committee and two
7 nominees from each list submitted by each state committee to
8 [reapportion] redistrict the state into one hundred and
9 sixty-three representative districts and to establish the numbers
10 and boundaries of said districts. No person shall be appointed
11 to both the house independent bipartisan citizens commission and
12 the senate independent bipartisan citizens commission during the
13 same redistricting cycle.

14 If any [of the congressional committees] committee fails to
15 submit a list within such time, the governor shall appoint a
16 member of his or her own choice [from that district and] from the
17 political party of the committee failing to [make the
18 appointment] submit a list, provided that in the case of a
19 congressional district committee failing to submit a list, the
20 person appointed to the commission by the governor shall reside
21 in the congressional district of such committee.

22 Members of the commission shall be disqualified from holding
23 office as members of the general assembly for four years
24 following the date of the filing by the commission of its final
25 [statement of apportionment] redistricting plan.

26 For the purposes of this Article, the term congressional
27 district committee or congressional district refers to the
28 congressional district committee or the congressional district

1 from which a congressman was last elected, or, in the event
2 members of congress from this state have been elected at large,
3 the term congressional district committee refers to those persons
4 who last served as the congressional district committee for those
5 districts from which congressmen were last elected, and the term
6 congressional district refers to those districts from which
7 congressmen were last elected. Any action pursuant to this
8 section by the congressional district committee shall take place
9 only at duly called meetings, shall be recorded in their official
10 minutes and only members present in person shall be permitted to
11 vote.

12 [(3) Within six months after the population of this state
13 is reported to the President for each decennial census of the
14 United States or, in the event that a reapportionment has been
15 invalidated by a court of competent jurisdiction, within six
16 months after such a ruling has been made, the nonpartisan state
17 demographer shall make public and file with the secretary of
18 state and with the house apportionment commission a tentative
19 plan of apportionment and map of the proposed districts, as well
20 as all demographic and partisan data used in the creation of the
21 plan and map.]

22 (d) The commissioners so selected shall, [within ten days
23 of receiving the tentative plan of apportionment and map of the
24 proposed districts,] on the fifteenth day, excluding Sundays and
25 state holidays, after all members have been appointed, meet in
26 the capitol building and proceed to organize by electing from
27 their number a chairman, vice chairman and secretary. The
28 commission shall adopt an agenda establishing at least three

1 hearing dates on which hearings open to the public shall be held
2 to hear objections or testimony from interested persons. A copy
3 of the agenda shall be filed with the clerk of the house of
4 representatives within twenty-four hours after its adoption.
5 Executive meetings may be scheduled and held as often as the
6 commission deems advisable.

7 [The commission may make changes to the tentative plan of
8 apportionment and map of the proposed districts received from the
9 nonpartisan state demographer provided that such changes are
10 consistent with this section and approved by a vote of at least
11 seven-tenths of the commissioners. If no changes are made or
12 approved as provided for in this subsection, the tentative plan
13 of apportionment and map of proposed districts shall become
14 final. Not later than two months of receiving the tentative plan
15 of apportionment and map of the proposed districts, the
16 commission shall file with the secretary of state a final
17 statement of the numbers and the boundaries of the districts
18 together with a map of the districts.]

19 (e) Not later than five months after the appointment of the
20 commission, the commission shall file with the secretary of state
21 a tentative redistricting plan and map of the proposed districts
22 and during the ensuing fifteen days shall hold such public
23 hearings as may be necessary to hear objections or testimony of
24 interested persons. The commission shall make public the
25 tentative redistricting plan and map of the proposed districts,
26 as well as all demographic and partisan data used in the creation
27 of the plan and map.

28 (f) Not later than six months after the appointment of the

1 commission, the commission shall file with the secretary of state
2 a final statement of the numbers and the boundaries of the
3 districts together with a map of the districts, and no statement
4 shall be valid unless approved by at least seven-tenths of the
5 members.

6 (g) After the final statement is filed, members of the
7 house of representatives shall be elected according to such
8 districts until a new redistricting plan is made as provided in
9 this section, except that if the final statement is not filed
10 within six months of the time fixed for the appointment of the
11 commission, the commission shall stand discharged and the house
12 of representatives shall be redistricted using the same methods
13 and criteria as described in subsection (b) of this section by a
14 commission of six members appointed from among the judges of the
15 appellate courts of the state of Missouri by the state supreme
16 court, a majority of whom shall sign and file its redistricting
17 plan and map with the secretary of state within ninety days of
18 the date of the discharge of the house independent bipartisan
19 citizens commission. The judicial commission shall make public
20 the tentative redistricting plan and map of the proposed
21 districts, as well as all demographic and partisan data used in
22 the creation of the plan and map. Thereafter, members of the
23 house of representatives shall be elected according to such
24 districts until a redistricting plan is made as provided in this
25 section.

26 (h) Each member of the commission shall receive as
27 compensation fifteen dollars a day for each day the commission is
28 in session but not more than one thousand dollars, and, in

1 addition, shall be reimbursed for his or her actual and necessary
2 expenses incurred while serving as a member of the commission.

3 (i) No [reapportionment] redistricting plan shall be
4 subject to the referendum.

5 (j) Any action expressly or implicitly alleging that a
6 redistricting plan violates this Constitution, federal law, or
7 the United States Constitution shall be filed in the circuit
8 court of Cole County and shall name the body that approved the
9 challenged redistricting plan as a defendant. Only an eligible
10 Missouri voter who sustains an individual injury by virtue of
11 residing in a district that exhibits the alleged violation, and
12 whose injury is remedied by a differently drawn district, shall
13 have standing. If the court renders a judgment in which it finds
14 that a completed redistricting plan exhibits the alleged
15 violation, its judgment shall adjust only those districts, and
16 only those parts of district boundaries, necessary to bring the
17 map into compliance. The supreme court shall have exclusive
18 appellate jurisdiction upon the filing of a notice of appeal
19 within ten days after the judgment has become final.

20 Section 7. (a) [Within ten days after the population of
21 this state is reported to the President for each decennial census
22 of the United States or, in the event that a reapportionment has
23 been invalidated by a court of competent jurisdiction, within ten
24 days after such a ruling has been made, the nonpartisan state
25 demographer authorized in Article III, Section 3 shall begin the
26 preparation of senatorial districting plans and maps using the
27 same methods and criteria as those required by Article III,
28 Section 3 for the establishment of districts for the house of

1 representatives.

2 (b)] Within sixty days after the population of this state
3 is reported to the President for each decennial census of the
4 United States, or within sixty days after a [reapportionment]
5 redistricting plan has been invalidated by a court of competent
6 jurisdiction, the state committee and the congressional district
7 committees of each of the two political parties casting the
8 highest vote for governor at the last preceding general election
9 shall[, at a committee meeting duly called, select by a vote of
10 the individual committee members, and thereafter submit to the
11 governor a list of ten persons, and] meet and the members of each
12 committee shall nominate, by a majority vote of the elected
13 members of the committee present, provided that a majority of the
14 elected members is present, members of their party, residents in
15 that district, in the case of a congressional district committee,
16 as nominees for the senate independent bipartisan citizens
17 commission. No party shall select more than one nominee from any
18 one state legislative district. The congressional district
19 committees shall each submit to the governor their list of two
20 elected nominees. The state committees shall each submit to the
21 governor their list of five elected nominees. Within thirty days
22 thereafter the governor shall appoint a senate independent
23 bipartisan citizens commission consisting of [ten members, five]
24 two nominees from each list submitted by each state committee and
25 one nominee from each list submitted by each congressional
26 district committee, to [reapportion] redistrict the thirty-four
27 senatorial districts and to establish the numbers and boundaries
28 of said districts. No person shall be appointed to both the

1 house independent bipartisan citizens commission and the senate
2 independent bipartisan citizens commission during the same
3 redistricting cycle.

4 If [either of the party committees] any committee fails to
5 submit a list within such time, the governor shall appoint [five
6 members] a member of his or her own choice from the political
7 party of the committee [so] failing to [act] submit a list,
8 provided that in the case of a congressional district committee
9 failing to submit a list, the person appointed to the commission
10 by the governor shall reside in the congressional district of
11 such committee.

12 Members of the commission shall be disqualified from holding
13 office as members of the general assembly for four years
14 following the date of the filing by the commission of its final
15 [statement of apportionment] redistricting plan.

16 [(c) Within six months after the population of this state
17 is reported to the President for each decennial census of the
18 United States or in the event that a reapportionment has been
19 invalidated by a court of competent jurisdiction, within six
20 months after such a ruling has been made, the nonpartisan state
21 demographer shall file with the secretary of state and with the
22 senatorial apportionment commission a tentative plan of
23 apportionment and map of the proposed districts.]

24 (b) The commissioners so selected shall [within ten days of
25 receiving the tentative plan of apportionment and map of the
26 proposed districts required by this subsection], on the fifteenth
27 day, excluding Sundays and state holidays, after all members have
28 been appointed, meet in the capitol building and proceed to

1 organize by electing from their number a chairman, vice chairman
2 and secretary. The commission shall adopt an agenda establishing
3 at least three hearing dates on which hearings open to the public
4 shall be held to hear objections or testimony from interested
5 persons. A copy of the agenda shall be filed with the secretary
6 of the senate within twenty-four hours after its adoption.
7 Executive meetings may be scheduled and held as often as the
8 commission deems advisable. [The commission may make changes to
9 the tentative plan of apportionment and map of the proposed
10 districts received from the nonpartisan state demographer
11 provided that such changes are consistent with this section and
12 the methods and criteria required by Section 3 of this Article
13 for the establishment of districts for the house of
14 representatives and approved by a vote of at least seven-tenths
15 of the commissioners. If no changes are made or approved as
16 provided for in this subsection, the tentative plan of
17 apportionment and map of proposed districts shall become final.
18 Not later than two months after receiving the tentative plan of
19 apportionment and map of the proposed districts, the commission
20 shall file with the secretary of state a final statement of the
21 numbers and the boundaries of the districts together with a map
22 of the districts.]

23 (c) The senate independent bipartisan citizens commission
24 shall redistrict the senate using the same methods and criteria
25 as those required by subsection (b), section 3 of this article
26 for the redistricting of the house of representatives.

27 (d) Not later than five months after the appointment of the
28 senate independent bipartisan citizens commission, the commission

1 shall file with the secretary of state a tentative redistricting
2 plan and map of the proposed districts and during the ensuing
3 fifteen days shall hold such public hearings as may be necessary
4 to hear objections or testimony of interested persons. The
5 commission shall make public the tentative redistricting plan and
6 map of the proposed districts, as well as all demographic and
7 partisan data used in the creation of the plan and map.

8 (e) Not later than six months after the appointment of the
9 commission, the commission shall file with the secretary of state
10 a final statement of the numbers and the boundaries of the
11 districts together with a map of the districts, and no statement
12 shall be valid unless approved by at least seven-tenths of the
13 members.

14 (f) After the final statement is filed, senators shall be
15 elected according to such districts until a new redistricting
16 plan is made as provided in this section, except that if the
17 final statement is not filed within six months of the time fixed
18 for the appointment of the commission, the commission shall stand
19 discharged and the senate shall be redistricted using the same
20 methods and criteria as described in subsection (b) of section 3
21 of this article by a commission of six members appointed from
22 among the judges of the appellate courts of the state of Missouri
23 by the state supreme court, a majority of whom shall sign and
24 file its redistricting plan and map with the secretary of state
25 within ninety days of the date of the discharge of the senate
26 independent bipartisan citizens commission. The judicial
27 commission shall make public the tentative redistricting plan and
28 map of the proposed districts, as well as all demographic and

1 partisan data used in the creation of the plan and map.
2 Thereafter, senators shall be elected according to such districts
3 until a redistricting plan is made as provided in this section.

4 (g) Each member of the commission shall receive as
5 compensation fifteen dollars a day for each day the commission is
6 in session, but not more than one thousand dollars, and, in
7 addition, shall be reimbursed for his or her actual and necessary
8 expenses incurred while serving as a member of the commission.

9 (h) No [reapportionment] redistricting plan shall be
10 subject to the referendum.

11 (i) Any action expressly or implicitly alleging that a
12 redistricting plan violates this Constitution, federal law, or
13 the United States Constitution shall be filed in the circuit
14 court of Cole County and shall name the body that approved the
15 challenged redistricting plan as a defendant. Only an eligible
16 Missouri voter who sustains an individual injury by virtue of
17 residing in a district that exhibits the alleged violation, and
18 whose injury is remedied by a differently drawn district, shall
19 have standing. If the court renders a judgment in which it finds
20 that a completed redistricting plan exhibits the alleged
21 violation, its judgment shall adjust only those districts, and
22 only those parts of district boundaries, necessary to bring the
23 map into compliance. The supreme court shall have exclusive
24 appellate jurisdiction upon the filing of a notice of appeal
25 within ten days after the judgment has become final.

26 Section B. Pursuant to chapter 116, and other applicable
27 constitutional provisions and laws of this state allowing the
28 general assembly to adopt ballot language for the submission of

1 this joint resolution to the voters of this state, the official
2 summary statement of this resolution shall be as follows:

3 "Shall the Missouri Constitution be amended to:

- 4 • Ban all lobbyist gifts to legislators and their
5 employees;
- 6 • Reduce legislative campaign contribution limits;
7 and
- 8 • Create citizen-led independent bipartisan
9 commissions to draw state legislative districts
10 based on one person, one vote, minority voter
11 protection, compactness, and other criteria?"